

COMMONWEALTH OF KENTUCKY

GUIDANCE FOR *W*ORKPLACE *V*IOLENCE *P*REVENTION

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WORKPLACE VIOLENCE PREVENTION

This guide supports the Commonwealth's interagency effort to consolidate resources and training, promote workplace wellness and safety, and suggest workplace violence prevention strategies for Commonwealth of Kentucky employees. This guide is intended for those responsible for leading workplace violence initiatives, agency planning groups, supervisors and employees. Its purpose is to establish a common framework for managing and preventing violence-related issues in the workplace. The Commonwealth recognizes that every agency is unique and may already have in place policy and reporting procedures that are effective in preventing workplace violence. Such agencies should review this guide and consider if their current policies need to be updated. The workplace violence model in this guide has been developed using an interdisciplinary, interagency approach to manage process changes for the Commonwealth Workplace Violence Prevention and Training Program.

In this guide, workplace is defined as any Commonwealth owned or leased property, location where Commonwealth business is conducted, or site where an employee is considered "on duty." Commonwealth vehicles or private vehicles being utilized for Commonwealth business are included in this definition. Additionally, workplace violence can occur at any location if the violence has resulted from an act or decision made during the course of conducting Commonwealth business. For situations where a client or customer is the offender, the possible response may be complicated due to legal obligations and entitlements.

Management alone cannot prevent workplace violence; it takes the efforts of everyone. When a work environment is stable and supportive, employees are respectful of one another, and the worksite is managed and staffed sufficiently, there is less likelihood of violent incidents. Creating an atmosphere where employees understand that workplace violence is unacceptable and employees can seek support without retaliation may help prevent disruptive behavior in the workplace. For additional information and training go to:

<http://personnel.ky.gov/emprel/keap/>

Your workplace violence prevention and response plan should generally consider definitions of workplace violence and potential categories of violence that exist. These two elements may influence how each work unit responds and what actions are necessary to effectively reduce the likelihood of violence occurring in the workplace. As you continue through this guide, consider where there is greatest risk and exposure based on your work environment and how your workplace violence prevention plan can be developed. Generally, a workplace violence prevention plan will contain, at a minimum, the following components:

- A Statement of Purpose
- A Definition of Workplace Violence
- Examples of Prohibited Conduct and Warning Signs, Symptoms, or Risk Factors
- Consequences of Policy Violation
- A Crisis Management Reporting System
- Employee Support and Counseling Referrals

There may be significant challenges in an agency's ability to develop prevention strategies based on the location of the worksite. Within a closed office environment, steps can be taken to enhance security and address safety concerns. However, if the worksite consists of temporary field locations that continually change, there may be a need for more creative options to enhance security and safety. These issues, and the likelihood of them occurring, need to be considered as the prevention and response program evolves.

The following is contained in Section 9 of <http://www.lrc.ky.gov/kar/101/002/095.htm>.

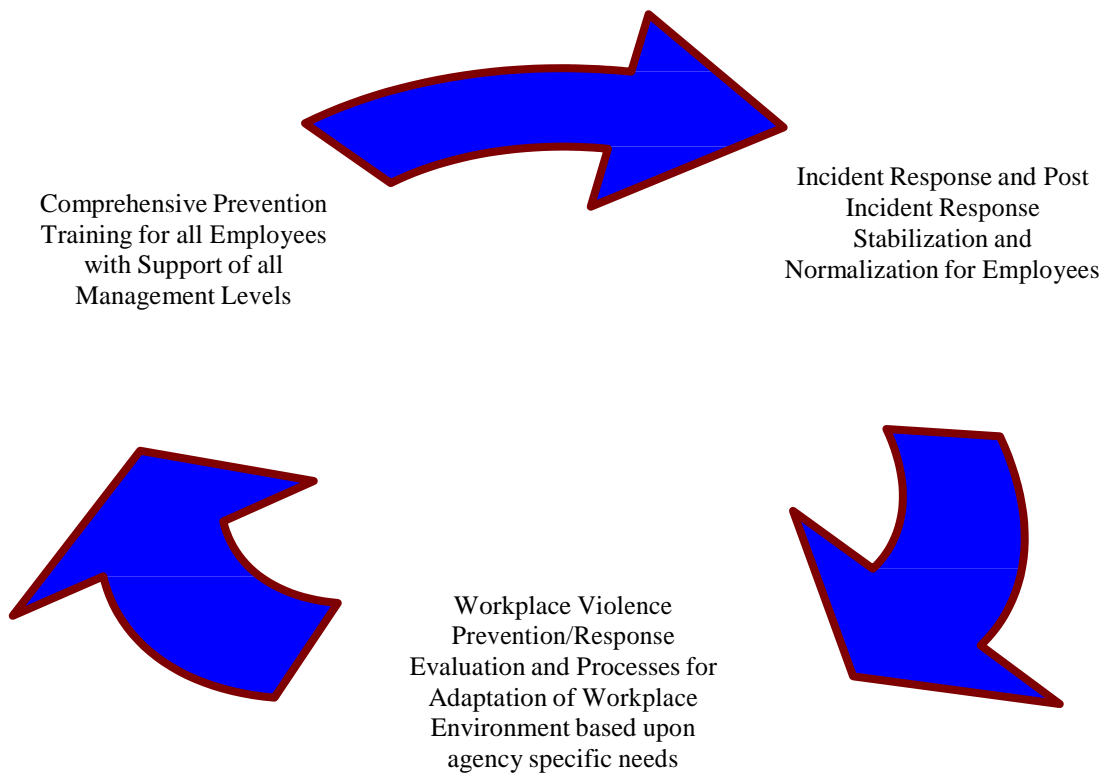
- (1) Examples of unacceptable conduct in the workplace include, but are not limited to, the following:
 - (a) The attempted, threatened, or actual conduct of a person who endangers or is likely to endanger the health and safety of state employees or the general public; or
 - (b) A threatening statement, harassment or behavior that gives a state employee or member of the general public reasonable cause to believe that his health or safety is at risk.

- (2) Examples of prohibited workplace violence shall include:
- (a) Threats of harm;
 - (b) Brandishing or displaying a weapon or an object that looks like a weapon in a manner which would present a safety risk to a state employee or a member of the general public or threatens or intimidates them;
 - (c) Intimidating, threatening, or directing abusive language toward another person, either verbally, in writing or by gesture;
 - (d) Stalking;
 - (e) Striking, slapping or otherwise physically attacking another person; and
 - (f) Disobeying or failing to follow the reasonable directive of a supervisor to take action or cease actions which create a risk to the health or safety of a state employee or the public or threatens or intimidates them.
- (3) Violation of this section shall constitute grounds for disciplinary action and referral for criminal prosecution.

The Commonwealth's prohibition against threats and acts of violence applies to all personnel, including but not limited to state employees, contract and temporary workers, consultants, college interns, student help, and anyone else on state property. Violators may be subject to legal action as appropriate.

WORKPLACE VIOLENCE PROGRAM PLANNING

Agency comprehensive training programs to address workplace violence prevention include the following components:



Members of management should provide the strategy, resources, and time needed to address workplace violence effectively. For a workplace violence prevention program to be successful, agency management may want to ensure all employees are trained effectively.

A policy unknown to employees cannot be effective.

A visible, demonstrated concern for safety is essential for workplace violence policies to be credible. All levels of employees should be involved in the development, implementation and ongoing operational management of a workplace violence prevention program.

Effective management support requires listening to employees and seeking their feedback. In the case of workplace violence prevention and response, it is critical to have active employee involvement in every aspect of the program. Employees understand where the potential risks for violence exists and what some of the possible solutions may be. Direct employee involvement enables employees to provide information useful in the design, implementation, and evaluation of the program. Employees are often the best source of information for identifying strengths, weaknesses, and opportunities to reduce workplace violence. Further, employees often are more aware of potential high-risk situations and can be instrumental in the prevention of workplace violence. Active employee involvement also produces a greater commitment to workplace violence prevention and to a more engaged and stable work environment.

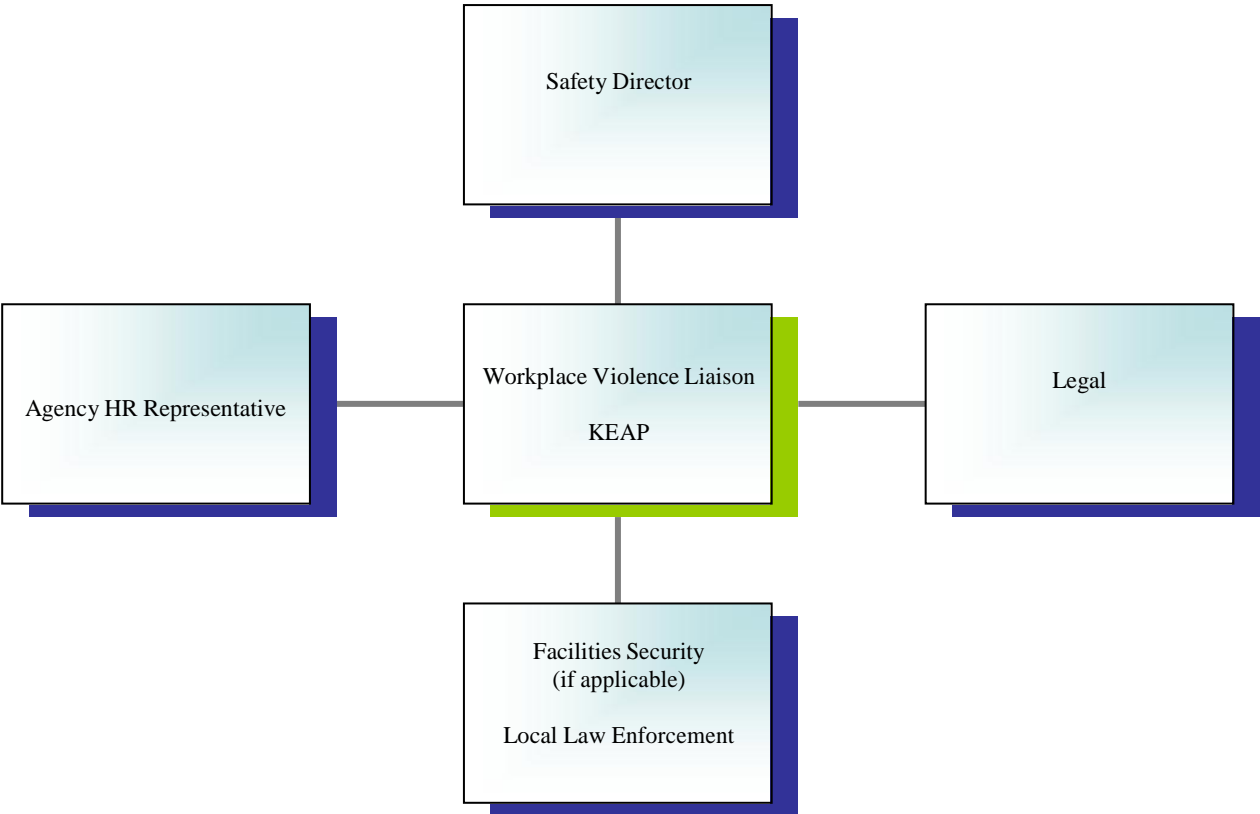


Figure 1: Example of what an Agency Consulting Team might look like

Consulting Teams

The Consulting Team is an invaluable part of any workplace violence prevention program and can serve several different functions depending on worksite needs. The functions of the team are to provide guidance and training, coordinate services, and make decisions when faced with potential workplace violence situations. The team should include individuals with a broad range of knowledge and experience. This group is available to provide oversight to the overall development, implementation, and management of workplace violence prevention and training programs. Since an occurrence of workplace violence has the potential to have an impact on every area of an organization, representation on the Consulting Team should include interagency professionals.

Agency Consulting Teams must have backup plans to ensure coverage at all times. It is necessary, for events that require an immediate response, to have several main contacts as a resource. A team approach, where members share knowledge in their areas of expertise, enables the team to formulate a collaborative and comprehensive response. All members should attend meetings and trainings in order to have a thorough understanding of how to respond to workplace violence and potential threats. Some larger agencies may want to organize several consulting teams to assign and distribute specific responsibilities more effectively. At the

request of the agency, independent reviewers, such as safety and health professionals, law enforcement, security specialists or other qualified persons may offer advice to strengthen areas and provide ideas for improvement and process changes.

A preliminary step when forming a specific workplace violence prevention plan is to conduct a review of the agency's current risk and exposure to potentially violent situations. To assist in this process, the agency may want to consider using resources within the community who may assist when analyzing the workplace. Worksite reviews should be conducted periodically, as well as after any incident of workplace violence, to determine the program's success and opportunities for improvement.

Attention should be given to identifying patterns of risk in order to develop potential prevention strategies. Patterns of risk may include a particular workgroup, time of day, type of incident, or location. This review should include individual worksites, as well as the agency as a whole, since differences may be noted among work locations in a given agency. Violent acts often are the result of long-developing, identifiable trails of problems, conflicts, disputes, and failures.

For instance, if occurrences of physical attacks by clients have occurred in the reception area, solutions might include rearranging furniture and work stations for optimal safety of employees, making sure all areas of the room are open and visible to others, and determining if specialized training in client care, or other related areas could help in reducing future occurrences.

One of the most obvious considerations in ensuring a safe workplace is having a secure physical environment that discourages workplace violence. While conducting a review of the buildings and grounds, the agency safety coordinator (or designee) should consider the categories of violence that the worksite is most at risk to experience. The Safety Director and Facilities Security also may want to consider asking the local police, fire, or other emergency response services to visit the worksite and provide assistance in the building and grounds review.

The agency consulting team should consist of the following:

Workplace Violence Liaison (WVL): The WVL is one of the most critical components of this team model. It is through this position that workplace violence prevention initiatives and training will be coordinated; information and assistance on workplace violence issues will be addressed; and this position will be responsible for reporting incidents of workplace violence to the Personnel Cabinet's KEAP Program. This will include identifying, with agency management, the types of workplace violence prevention initiatives which are appropriate to meet agency needs and employees who should receive training. Workplace violence materials, including guidelines and literature on workplace violence, will be distributed to agency personnel. The WVL will coordinate the delivery of workplace violence prevention training and workshops approved by KEAP. Specific agency procedures for reporting incidents of workplace violence will be developed using this guide. The WVL will coordinate the development of agency worksite plans and post-workplace violence incident reports; inform the KEAP coordinator of serious incidents of workplace violence; copy all related personnel (Consulting Team); and ensure managers and supervisors consult with KEAP when warning signs of workplace violence are present. The WVL will participate as a member of the agency's consulting team.

HR Representative: An HR perspective provides a more complete understanding of the organizational structure, the customer priorities of the agency, and various staffing issues. This individual possesses a broad base of knowledge and experience with agency work processes and the locations where these processes are performed.

Safety Director: This individual possesses a broad base of knowledge regarding physical hazards in the workplace, and is familiar with evacuation procedures.

Legal: A legal consultant is an invaluable asset to an assessment team and helps to ensure that an agency workplace violence program and incident response is in accord with federal and state statutes.

Facilities Security: Facilities Security Personnel may assist in coordinating services with other state and local emergency service personnel. In addition, Facilities Security's familiarity with the layout and structure of an

agency's facilities would be invaluable when conducting physical plant surveys, hazard assessments and evaluating the procedures for entering and exiting a facility. Those agencies without Facilities Security staff, should consider coordination with local law enforcement officials.

Employee Participation Groups

Employees may be in the best position to identify areas of concern since they work in the immediate area and know the specific issues related to the environment and job tasks. One method to involve your employees in the creation of a successful program is through the use of employee participation groups. These discussions should be conducted with a cross section of employees that reflects a wide range of work functions and levels, as perceptions of issues and threats vary from person to person. Discussion points could include general perceptions on overall feelings of safety, possible remedies, limitations to constructive changes, and other similar considerations. The information gained should be considered when designing the prevention program.

Work Functions and Environment

The tasks and functions performed at an agency worksite may expose it to some forms of workplace violence more than others. The National Institute for Occupational safety and Health (NIOSH) states that jobs involving money or other valuables are at greater risk of violence. Likewise, greater exposure to people can increase likelihood of conflicts and disagreements. According to the Occupational Safety and Health Administration (OSHA), jobs that may have the ability to alter people's lives may be met with hostile feelings that can escalate to violent behavior. A review of the work functions and work environment can be used to design strategies to reduce possible incidents.

Customer service issues may increase the likelihood of violence. A customer or client who views a delay in service as a life changing event may experience frustration or hostile feelings, leading to violence. The more significant the consequences, the more potential for a violent response. If the work function of an office is to administer benefits to citizens in a public building with a large waiting room, it would appear that workplace violence committed by customers or clients would be a significant area of concern for this office.

In addition to work functions and environment, prevention efforts should recognize how personal issues contribute to the increase in workplace violence. While an agency can assess the work environment, an individual's personal problems are not always known or evident. When personal issues combine with work-related issues, the outcome could be dangerous. Some examples of these contributing factors include:

- High stress levels.
- Financial difficulties.
- Substance abuse.
- Mental health issues.
- Interpersonal issues.

Communication between the supervisor and employee may help create awareness of early warning signs. Low employee morale or a management style that conflicts with an employee can also heighten the potential of violence. High levels of staff turnover, a heavy workload, terminations and corrective actions could also lead to workplace violence by former or current employees.

WORKPLACE VIOLENCE PREVENTION

HUMAN RESOURCES GUIDE

All instances of violence or the threat of violence have disciplinary implications, regardless of who is the offender. If the concern is based on observed behavior but does not involve a violation of a work rule, then discipline may not be appropriate. However, if a work rule violation has occurred and there is a concern of violence, discipline should be considered. In all cases, when a situation has been identified, management must take appropriate action to ensure safety and minimize future occurrences. Training in basic performance management related topics should be provided to supervisors.

If there is behavior that may be criminal or is an alleged criminal act, law enforcement will be contacted for an investigation. It is the responsibility of the Commonwealth of Kentucky to provide a safe working environment for employees.

According to the General Duty Clause of the United States Occupational Safety and Health Act (1970), "Each employer shall furnish to each of his (or her) employees employment and a place of employment which are free from recognized hazards that are causing or likely to cause (them) death or serious physical harm."

The best way to avoid liability under the Act would be to address workplace security and provide training concerning potentially violent situations.

Training and Education

Training and education are key elements to a successful prevention and response program, and can be completed at initial orientation. Training ensures that staff is aware of potential security hazards and how to protect themselves and coworkers through established policies and procedures. All employees should be familiar with the Commonwealth's guide on workplace violence, and know how to respond to and report incidents of violent, intimidating, threatening, and other disruptive behavior. All employees should be provided with phone numbers for quick reference during a crisis or an emergency.

Workplace violence prevention training may include topics such as:

- Security procedures, e.g., the location and operation of safety devices such as alarm systems, obtaining assistance when incidents occur, etc.
- Personal safety and security measures
- Effective interpersonal skills
- Diffusing hostility
- How to respond to co-workers who are experiencing stalking and/or domestic violence
- Anger Management
- Steps to Violence
- Warning Signs of Domestic Violence
- Workplace Safety Plan
- Disciplinary Actions
- Legal Ramifications
- Commonwealth's Guide for Workplace Violence Prevention
- Reporting Procedures
- Prevention and Response Examples
- KEAP services

Training programs, including basic supervisory development, performance management, employee performance reviews and KEAP services will address the issues associated with workplace violence prevention and response.

Topics may include:

- Ways of preventing or diffusing volatile situations or aggressive behavior
- How to deal with hostile persons
- Managing anger

- Techniques and skills to resolve conflicts
- Stress management, relaxation techniques, wellness training
- Team-building
- Self-defense
- Communication skills

Agency Consulting Teams will receive mandatory Violence in the Workplace Prevention training, facilitated by the Personnel Cabinet, and will be expected to complete their own mock drills periodically, so that team members can practice those skills for which they have received training. Additional training is available online at:

<http://personnel.ky.gov/emprel/keap/supvisrs.htm>
<http://personnel.ky.gov/emprel/keap/keapworkshopsoverview/>
<http://personnel.ky.gov/gsc/empdev/>

Corrective or Disciplinary Actions

The Commonwealth provides a number of available options to address workplace violence or conflict depending on the specific conditions and the severity of the behavior(s). Established procedures must be followed when taking corrective or disciplinary action. When using corrective or disciplinary action in response to a potentially violent workplace event, consult agency legal counsel and notify the WVL within 24 hours.

Additionally, immediately after actual or threatened violent events, there may exist the need to remove the employee immediately from the worksite, while disciplinary action may be pending. Agencies are reminded of the following options:

Agency Directed Sick Leave

If an employee has demonstrated behavior that might endanger himself or others, an appointing authority may send this employee home on sick leave, pursuant to 101 KAR 2:102 Section 2(a)(4). This “agency directed sick leave” may be with or without pay, and the employer can require the employee to produce an acceptable certificate from a medical health professional which certifies the employee’s fitness to return to duty before the employee may return to work.

Special Investigative Leave

An agency may elect, with the approval of the Personnel Cabinet Secretary, to place an employee on special investigative leave to investigate an allegation of misconduct. The employee is sent immediately home on paid leave for a period not to exceed 60 work days. This provides the agency time to gather information and appropriately investigate the claim. If the investigation reveals no misconduct, the employee is permitted to return to work and all references to the investigation are removed from the employee’s file. Agencies should refer to 101 KAR 2:102, Section 8 for more information.

KENTUCKY EMPLOYEE ASSISTANCE PROGRAM (KEAP)

KEAP is dedicated to helping employees find solutions to the personal problems that may hinder their effectiveness at work. Problems concerning marital, family, or emotional distress, alcoholism and drug abuse, financial or even medical issues can seriously diminish an individual's job performance. The program is designed to provide consultation, assessments and referrals for education, information, intervention, and treatment as needed to maintain a healthy and productive work force. All employees, supervisors and managers, are encouraged to utilize the services of KEAP when personal problems first develop, regardless of any job performance concerns.

Supervisors and coworkers, through close working relationships, often can detect subtle warning signs of a problem in an employee. When these signs are noticed, it is important to encourage the employee to contact KEAP. There is a written referral form that supervisors may use to make the most effective referral. (Contact staff for additional information and to request the referral form.) KEAP is also available for confidential

consultation to discuss a wide array of situations. Often, employees and supervisors may have a "feeling" about another individual and fear that a workplace violence incident may occur. This individual may be another employee, supervisor, client, or customer. KEAP can discuss the concerns and provide guidance on how to best respond.

For situations that involve higher-risk behavior, KEAP can work with the WVL and supervisor to encourage effective intervention. In those situations where the individual is a risk to self or others or when their behavior disrupts the worksite, KEAP can assist in evaluating options including agency directed sick leave and requiring a mental status exam or fitness for duty evaluation. When violence occurs, it can have significant and long lasting effects on those involved. KEAP is available to provide post-incident services. By providing these services, employees and the worksite can return to normal functioning sooner.

Warning Signs

Agency workplace violence prevention and response plans should consider what steps should be taken to identify and respond to high-risk behavior. It would be ideal to have some way of predicting who might become violent; however, there is no test, instrument, or method that can accurately predict whether an individual may become violent.

Research conducted by the Federal Bureau of Investigation's National Center for the Analysis of Violent Crime (NCAVC) has revealed that there are behavioral indicators that may lead to increased risk of violence. The following list of behaviors should be viewed with concern:

- A history of violent behavior on or off the job.
- Direct or veiled threats of harm to self or others.
- Intimidation, belligerence, bullying or other inappropriate behavior directed at others.
- Numerous conflicts with supervisors and employees.
- Physically touching another employee in an intimidating, malicious, or sexually harassing manner, including such acts as hitting, slapping, poking, kicking, pinching, and grabbing.
- Verbal comments indicating expressions of hostility directed at coworkers, supervisors, or others, such as name-calling and obscene language.
- Hostility towards a specific group of co-workers.
- Extreme jealousy towards partner.
- Frequently calling, texting, emailing or otherwise contacting partner.
- Bringing a weapon to work (when weapons are not part of the job).
- Making inappropriate references to guns or exhibiting an unusual fascination with weapons.
- Fascination with incidents of workplace violence.
- Statements indicating approval of the use of violence to resolve problems.
- Statements indicating identification with offenders of workplace homicides.
- Threats of suicide or homicide.
- Statements indicating an increased tone of desperation or feelings of hopelessness about a situation at work, with family, or with financial and other personal problems.
- Signs of abuse of drugs/alcohol on or off the job.
- Extreme changes in behaviors or mood swings.
- Stalking of another individual.

Workplace Violence Indicators for Managers

An employee exhibiting the following indicators is not necessarily an individual who is prone to violence; however, violence is always a possibility when these warning signs are evident. These indicators are typical of an employee in difficulty; which could suggest that intervention may be necessary:

- **Excessive tardiness or absences.** Beyond simply missing work, an employee may also reduce his or her workday by leaving early, departing the work site without authorization, or presenting numerous excuses for otherwise shortening the workday. This is a particularly significant indicator if it occurs in an individual who has been typically prompt and committed to a full work day.
- **Increased need for supervision.** An employee typically requires less supervision as he or she becomes more proficient at their work. An employee who exhibits an increased need for supervision, or with whom

the supervisor must spend an excessive amount of time, may be an individual who is signaling a need for help. Managers should be alert to such a change and consider offering professional intervention if the situation warrants.

- **Reduced productivity.** If a previously efficient and productive employee experiences a sudden or sustained drop in performance, there is reason for concern. This is a classic warning sign of dissatisfaction and the manager should meet with the employee to determine a mutually beneficial course of action.
- **Inconsistency.** As in the case of reduced productivity, an employee exhibiting inconsistent work habits may be in need of intervention. Employees are typically quite consistent in their work habits. Should this change, the manager has reason to suspect the individual is in need of assistance.
- **Strained workplace relationships.** Many of the classic behavioral warning signs may be identified under this category. Should a worker begin to display disruptive behavior in the workplace it is important that the manager intervene as quickly as possible to diffuse a potentially violent situation. This indicator should be taken quite seriously. A worker who exhibits disruptive behavior is in need of immediate counseling and, if appropriate, professional employee assistance.
- **Sustained inability to concentrate.** This may indicate a worker who is distracted and in trouble. Employee counseling is indicated.
- **Violation of safety procedures.** This behavior may be due to carelessness, insufficient training or stress. If an employee who has traditionally adhered to safety procedures is suddenly involved in accidents or safety violations, stress may be indicated. This may be a serious situation which requires the intervention of professional employee assistance personnel. Stress is a significant contributor to workplace violence.
- **Changes in health or hygiene.** An employee who suddenly disregards personal health or grooming may be signaling for help.
- **Unusual behavior.** As mentioned previously, a sustained change in behavior is often an indication of an employee in difficulty. Common sense is the best judge of this issue. Workers are typically quite familiar with the personalities of their peers and are often quick to notice significant changes. The work environment should be managed in such a way as to ensure trust and open communication so that workers undergoing a difficult period may be offered prompt assistance.
- **Fascination with weapons.** This is a classic behavioral warning sign that should be easily recognized by coworkers and managers.
- **Substance abuse.** This is such a prevalent problem in the American workplace that it is important to have a plan in place to identify and assist an employee who has become the victim of drug or alcohol abuse.
- **Stress.** Stress is a serious and widespread problem in the workplace. As with substance abuse, an organization should have procedures in place to identify workers who are victims of stress and provide an effective intervention program. The implementation of stress mitigation and personal wellness programs should also be considered by employers.
- **Excuses and blaming.** This is a classic behavioral warning sign that is often easy to identify but just as often ignored by managers. A worker who engages in this behavior is often signaling for assistance, requires counseling and, possibly, professional intervention.
- **Depression.** Depression is a common ailment in America but not all individuals suffering from depression are prone to violence. If, however, the depression is evident for a sustained period of time, professional intervention is recommended because a violent outcome is always a possibility.

Many of these indicators for managers are alternative ways of interpreting the key behavioral warning signs associated with potential violence. They are almost always warning signs of an employee who requires help. An aware manager understands these indicators through experience and instinct, valuable components of good management, which should never be ignored. **Any employee who exhibits one or more of these indicators may be in need of assistance or intervention. Managers must be alert to these indirect pleas for help and provide a positive, timely response to ensure a safe and secure work environment.**

Managers should be encouraged to document all high-risk employee behaviors, since these patterns often precede episodes of violence. Being aware of the behaviors and attitudes of another person may prevent a potentially dangerous situation. Usually, there are warning signs before a violent incident.

Incident Response and Stabilization

A comprehensive workplace violence prevention guide and program should outline procedures and responsibilities in the event of a violent incident in the workplace. These policies and procedures should state who is responsible for which activities when responding to an incident. The Incident Response and Stabilization Plan should be developed to address the full range of potentially violent situations. The Consulting Team, given its function and design, should be considered the primary point for developing and coordinating the activities contained in the incident response plan and training.

SAFETY AND SECURITY

Personal Safety

The Commonwealth's most important concern is your personal safety.

An Incident Response and Stabilization Plan should contain information regarding steps that can help to ensure safety for all involved. Each incident of workplace violence is different; specific steps that may be effective in one situation may be dangerous or ineffective in another.

- Employees should report any incidents or threats (actual or perceived) to the supervisor, WVL, or upper level manager.
- Employees should put themselves in the safest position possible.
- Escape routes should be established. These escape routes usually should be the same as those used for fire drills and bomb threats, so that employees are not expected to remember different procedures for different emergencies. The escape routes should not be used until it is safe to do so.
- A code word or phrase should be established by the individual worksite, so that employees who feel threatened by a client or customer and need assistance can get help without alerting the offender.
- Employees should try to remain calm.
- Employees should not argue with or interrupt the individual.
- Employees should cooperate with the individual, and give them their complete attention.
- If a weapon is used, employees should not attempt to disarm the individual.
- Employees should not attempt to protect property or possessions over personal safety.
- Safety plans should be created for situations of domestic violence and stalking in consultation with the victim and with domestic violence and stalking programs. This may include such things as going to a "safe area," remaining at a work station, using furniture as a shield, or exiting the building.

Coordination of Emergency Services

The agency Worksite Prevention and Response Plan should include professional services such as fire, ambulance, crisis intervention, and police that may be needed in response to a situation. It is also important that the contact numbers for those services are readily available and known to employees. Agencies may consider meeting with the emergency service providers in their area before an incident occurs to go over the Incident Response Plan and familiarize the emergency service provider with the work operation and location. The agency should also ensure that floor plans, maps, and other relevant records are readily available to emergency service providers on and off grounds. Defining these responsibilities in the plan may reduce the confusion and possible duplication of activities during critical times.

Situations Involving Threats to Others

According to Webster's Dictionary a threat is:

1. An expression of an intention to inflict evil, injury, or damage; or
2. One that threatens; or
3. An indication of something impending

The Commonwealth takes all reported threats seriously. Consistent with the Commonwealth's Workplace Violence Prevention Guide, threats or acts of physical violence including intimidation, harassment or coercion which involve or affect state employees or which occur on state property shall not be tolerated. Threats or acts of violence include conduct against persons or property that is sufficiently severe, offensive or intimidating to alter the conditions of state employment or to create a hostile, abusive, or intimidating work environment for one or more state employees. If there is behavior that may be criminal or is an alleged criminal act, law enforcement should be contacted immediately for an investigation. Employees should be encouraged to report all threats and threatening behavior immediately to their supervisor, WVL, a member of the Agency Consulting Team, or law enforcement, if necessary.

The WVL may obtain witness statements, copies of the threat (if made in writing) or a written summary of the threat (if made verbally) and provide them to the Agency Consulting Team and authorities. It is important to identify potential targets and gather relevant information about them. If the individual who made the threat is employed by a contractor of the Commonwealth, the contractor should be contacted as well.

The following examples illustrate subjects who have picked out targets for a possible attack:

- A man who, over days and weeks, has been following a female employee, whom he met once, but has no relationship.
- An employee states in a conversation that they should "just bring a gun to work."
- An employee, fired by a manager, whom they blame for discriminating against them and causing the breakup of their family, has told former coworkers that they will "get even."

Employees who have been the target of a threat should be encouraged to take appropriate safety precautions, which may include but are not limited to:

- Changing travel patterns to and from work.
- Getting an unlisted personal phone number.
- Evaluating home security.
- Establishing check-in times with friends, family, and the workplace.
- Carrying a cell phone.
- Temporarily relocating away from home.
- Notifying law enforcement authorities that have jurisdiction where the employee lives and works.

The agency should determine if workplace security needs to be intensified, and consider the following:

- Changing the employee's work hours or location.
- Providing a security or management escort for the employee to and from their vehicle.
- Limiting the opportunities where the employee works alone.
- Providing coworkers with the name and description of the offender.
- If the offender is a client or customer of the victim, determine if services can be discontinued or access to the worksite limited. If that is not an appropriate option, then determine if another office or staff person should assume the responsibility of the case.

Situations Involving Client or Customer Actions

This is an individual who receives a service from an agency, and includes current or former customers, clients or patients, passengers, students, residents, parolees, criminal suspects, and/or inmates. The violence can be committed in the workplace, outside the traditional workplace while the worker is performing a job-related function, or outside the workplace on non-work time where the customer/client encounters or pursues the employee.

For situations where a client or customer is the offender of the incident, the possible response may be complicated due to legal obligations and entitlements. However, agencies should still contact the WVL or local law enforcement, if necessary. Options may include reassigning a client to a different location for the same service; arranging appointments only at times that adequate security is present; providing service with additional staff present.

Situations Involving Stalking or Domestic Violence

<http://chfs.ky.gov/dcbs/dpp/violenceprevention.htm>
State Domestic Abuse Hotline 1-800-752-6200

Domestic violence and stalking are unacceptable behaviors and offenders may be disciplined, up to dismissal, for either using workplace resources to commit domestic violence or stalking. In accordance with federal law, anyone convicted of a domestic violence crime or subject to a domestic violence protective order is prohibited from bringing a gun into the workplace. Employees who disclose being victims of domestic violence or stalking should not be disciplined solely for being victims. Additionally, employees who seek batterer's intervention services voluntarily should not be disciplined for doing so.

Supervisors should not act as counselors. Supervisors should respond in a non-judgmental fashion to disclosures of abuse and refer the employee to KEAP and local domestic violence, rape crisis or batterer's intervention programs. The role of the supervisor is to address the employee's performance and behavior.

Employees should be supported in taking time off (paid or un-paid) to attend court, receive counseling, medical care, re-locating offices or telecommuting, and creating safety plans. **An agency may want to encourage their employees to provide copies of all protective orders from Kentucky (or other states) as well as a picture of the offender.**

Supervisors should safeguard all information regarding domestic violence or stalking to the extent that disclosures are necessary to protect the safety of other staff. Post information about domestic violence and stalking resources in highly visible places so that employees do not have to ask for the information.

When a person in an abusive relationship takes steps toward safety, risk increases. For example, it is common for the abuser to escalate violence as attempts to separate are made. Managers should inform the employee about the assistance available through KEAP and community resources.

Situations Involving Destruction of Property

The Agency Consulting Team should call upon law enforcement when dealing with destruction of property. Because law enforcement may be called upon and a criminal offense involved, it is important for the team to follow the lead and instructions of law enforcement.

Situations Involving Bomb Threats

Facilities Security outlines Commonwealth policies already in existence for employee responses to bomb threats, and those procedures should be followed. State owned facilities should follow procedures found in <http://finance.ky.gov/NR/rdonlvres/7D5686A8-6A42-4204-9863-EA20708616B6/0/TABAA21.pdf>

All others should adjust procedures based on location.

The prevention and response program should not only address employee responsibilities, but also should include provisions for sharing information and coordination of activities with other entities that may share the same building/agency.

Post-Incident Response and Normalization

The after effects of workplace violence can be extremely traumatic and should be dealt with immediately. The agency's plan should address the important physical and psychological consequences to victims and witnesses as a result of a traumatic event. Such occurrences can lead to long-term problems resulting in legal and medical costs and emotional upheaval to the employee and employer. However, with timely intervention, the adverse impact on both the employee and employer often can be reduced considerably.

Common reactions to an act of workplace violence might vary between individuals. Depending on the degree of intensity of the traumatic event, employees can exhibit physical, cognitive, emotional, and behavioral effects from the crisis.

While it is difficult to predict how an employee may be affected, several factors influence the intensity of trauma. These factors include:

- Duration of the event.
- Amount of trauma the individual has experienced.
- The sense (or lack) of personal control the employee had during the incident.
- The amount of injury or loss the individual experienced.
- Previous victimization experiences.
- Recent losses such as death of a family member or divorce.
- Other intense stressors.

Considering the above factors, it is understandable that each person reacts differently and depending upon the nature of the event, the return to "normal" can vary.

Short Term Considerations

Employees may want answers to their questions in order to resolve the experience for themselves. As information becomes available, it should be provided in person, in postings, recorded messages on a hotline, or updates through an Intranet site. A prompt response reaffirms the agency's commitment to providing a safe work environment. It is best to have the most appropriate and credible sources explain the facts of the workplace violence act. Choosing a respected and highly credible spokesperson to provide accurate and pertinent information assists in the perceived believability of the information, and employees may more readily accept the support of supervisors and managers.

Accurate information regarding violent events must be made easily accessible.

KEAP should be utilized as an appropriate resource when a traumatic event occurs in the workplace. Due to the significance of the event and the effects on the workplace, a rapid response is most effective in minimizing long-term problems. The WVL, supervisors, managers, and others should notify KEAP immediately when such an event occurs. KEAP will assist the agency in determining the appropriate course of action for a post-incident response. On-site crisis response services are then coordinated within the workplace.

When a situation involves a Commonwealth employee as the offender and the employee is not terminated, there may be heightened fears associated with that individual upon their return to work. Some individuals may fear that the employee may repeat the behavior or retaliate against others. The workplace prevention and response plan should provide guidance on how to minimize employee concerns. Steps may include relocating an employee to another work unit or conducting a staff meeting to explain that management has taken steps to ensure the safety of everyone. The WVL or KEAP can assist in developing a plan, given the individual circumstances of the incident.

It is recognized that most worksites must continue to operate despite an act of workplace violence. However, the plan should consider the seriousness of the event and the possible implications on the operations.

RECORD KEEPING AND EVALUATION

Record keeping is essential to the success of a workplace violence prevention program. Records of injuries, illnesses, accidents, assaults, hazards, corrective actions, and training, among others, can help identify potential problems and solutions for an effective program.

Records are important in the event there is litigation at a later point in time.

Below are some examples of records that must be kept in a confidential file in compliance with record retention policy:

- Accident reports of work injuries and supervisors' reports for each recorded assault. These should describe the type of assault, who was involved, surrounding circumstances, environment or location, potential or actual cost incurred as a result, lost time, nature of injuries sustained, etc.
- Incidents of abuse, verbal attacks, or aggressive behavior which may be threatening to the worker but do not result in injury.
- Police reports, if applicable.
- Records of all training programs and attendees.

Agencies should have a mechanism in place for the Consulting Team to evaluate all occurrences and to determine what further preventive measures could have been taken or can be taken in the future. Action plans can be developed to address any needed changes.

Some of the issues that may be addressed are:

- A review of the incident and the effectiveness of the agency's response.
- A review of the factors that may have contributed to the incident.
- Action steps that might be taken to prevent similar incidents in the future.

The Consulting Team should evaluate, on a periodic basis, the agency's experience with workplace violence for trends, commonalities, and best practices in prevention and response.

Reporting Procedures

The Commonwealth's guide on workplace violence prevention requires that employees report all incidents and threats of workplace violence to their supervisor, WVL, or KEAP. Once the employee or supervisor has contacted a member of the Agency Consulting Team with a report of workplace violence, the member should notify the entire consulting team within 24 hours. The procedure should apply to all types of violent incidents, whether or not physical injury has occurred. The KEAP Program will maintain all reports of workplace violence.

The person receiving the complaint should:

- Acknowledge the complaint.
- Assure the employee that the incident will be reviewed by the team, promptly.
- Once the investigation is complete, the employee should be notified of the results and the outcome (subject to confidentiality limitations).
- Report incidents of workplace violence to a member of the Agency Consulting Team for appropriate review and action.

Employees should be trained to understand the importance of prompt reporting.

Many employees often hesitate to make reports for the following reasons:

Lack of confidence: Employees may stop reporting incidents and inappropriate behaviors when the supervisor fails to take action. If an employee reports threats or violent behavior by another employee and the supervisor dismisses or ignores the report, employees may stop reporting incidents and management loses its early warning system.

Being unaware of the value of reporting: Employees often hesitate to report unusual behavior because of a concern that others may not share their perceptions. They may feel the employee who is acting out is just having a bad day or making a joke. Employees should be trained to report incidents, threats, or uncomfortable behaviors immediately, and supervisors should follow up on these reports immediately.

Being unaware of behaviors that are high-risk: Employees should be trained on the indicators of higher risk behavior and potential violence and how to recognize individuals or situations that should be reported.

Fears of retaliation or confrontation: Employees often are afraid to report threats or incidents out of fear for personal safety or retaliation. Supervisors should create an environment in which employees feel safe and are comfortable reporting inappropriate behavior. While complete anonymity cannot be guaranteed, supervisors can offer reassurance that retaliatory behavior for reporting threatening behavior shall not be tolerated.

Disruptive behavior is taken for granted: After a period of time, employees assume that inappropriate or threatening behavior on the part of a customer, client, manager, supervisor, vendor, or coworker is normal or acceptable. Employees should be trained to report any inappropriate or threatening behavior, regardless of whether the behavior is new or a pattern of longstanding.

In addition, issues of confidentiality should be taken into account to ensure employees feel comfortable reporting all incidents. Depending on the circumstances, complete confidentiality cannot be ensured (i.e., if a grievance or appeal is filed), however, consideration should be given to using maximum discretion with information that employees report. Most importantly, if top-level commitment and involvement is present within an agency, employees may feel more comfortable in bringing their concerns to the attention of management.

Review of Events Leading to the Incident

The Commonwealth's guide on workplace violence prevention requires that all reports of workplace violence be reviewed and responded to by the Agency Consulting Team. The Data Form for Incidents of Workplace Violence should be submitted to KEAP within 7 working days. The form should be completed only when there are critical incidents involving death, injury, specific threats, assault, or security breaches. The agency's Consulting Team should conduct a fair, objective, and sound review.

An immediate consideration after an act of workplace violence has occurred is to determine what kind of action should be taken – administrative or criminal. When a crime has been committed, it is recommended that a member of the consulting team contact the appropriate law enforcement agency.

For those instances where the Consulting Team has factually verified an incident of workplace violence, the form will identify the possible cause(s). From this form, the Consulting Team should develop an action plan which may recommend changes in procedures or policies, buildings and grounds, or other changes that may prevent a recurrence.

ADDITIONAL CONSIDERATIONS

Impact on Worksite and Work Schedules

The agency worksite plan addresses the potential impact of workplace violence on work schedules. Depending upon the incident, there may be an impact on program operations, including work schedules and work locations. In coordination with the agency's central office, changes should be considered for the purpose of ensuring safety. The designated individual should alert employees (both on duty and off duty) of any changes in schedules or work locations. Specific details for your agency are contained within the agency's Business Continuity Plan. If the situation requires an evacuation of a worksite (full or partial), the agency should utilize their internal emergency preparedness plans.

Staffing and Leave

It is advisable to maintain flexibility in applying leave policy for those affected by an incident. People require various amounts of time to adjust and return to "normal" functioning, and some employees may not be able to work. In other cases, affected employees may be required to participate in criminal investigations or choose to attend memorial or funeral services. Given the number of staff affected or the length of time off the job, consideration might include bringing in other employees that perform similar services at other work locations. This type of management support fosters improved morale and a smoother recovery.

Work Functions

Employees react differently to any event based on its seriousness and their previous personal experiences. After significant events, an employee's ability to concentrate may be reduced, and even basic routine functions may be affected. Supervision and support should be intensified and focus on the concrete actions that employees need to accomplish in order to be able to perform the agency's work. Over time, the employee should be able to resume full functioning.

Workers' Compensation Claims and OSHA

Recognizing the trauma frequently associated with violence, employees should be assisted in filing any claims resulting from workplace violence. An HR staff person should be identified to assist the employee and answer any questions concerning the processing of the claim.

<http://personnel.ky.gov/emprel/workerscomp/default.htm>

Long-Term Considerations

The emotional impact of a workplace violence act continues long after the actual event. Recovery is a process that takes place over time. The goal of supervisors and managers should be the quick return of affected employees to their pre-incident level of functioning. Resources designed to assist recovery should be made available over a prolonged period as well. To begin to return to normalization, employees should be encouraged to take the following steps following a crisis:

- Talk about it. Talking with others helps to relieve stress and recognize that others share similar feelings.
- Get plenty of rest and exercise, eat regular meals, and avoid excessive drinking and risk-taking activities.
- Spend time with family and encourage children and other family members to discuss their concerns and feelings.
- Maintain as normal a schedule as possible, keeping a balance between working and time off.
- Make time for relaxing activities.
- Do something positive to help gain a greater sense of control (for example, give blood, take a first-aid class, or donate food or clothing).
- Ask for help; it's not a sign of weakness.
- Talk with trusted relatives, friends, community groups and professionals.

Employees naturally form support groups while at work. During a crisis, try to keep these work groups together as much as possible. Providing employees with the opportunity to talk informally with one another may help them come to terms with the incident. Allowing flexible break times, and offering a common break area, may help facilitate the recovery process. Ensure that employees are aware of the services offered by KEAP.

The area in which an act of workplace violence has occurred may trigger sensitive issues. This site, which initially may be secured as a crime scene, may bring back painful reminders once employees return. Ensure that items broken or damaged are removed, along with blood or other stains. However, the area should not be so "sanitized" that it gives the appearance that management is pretending nothing happened. Returning to work can be managed in a way that conveys appropriate respect for the deceased, injured, and traumatized.

Management should be sensitive to the impact of anniversary dates of events, court dates, and media coverage. Often these situations can produce thoughts and feelings that employees experienced during the incident.

The agency WVLC will be trained to have an understanding of the issues and consequences of assaults and other aggressive, violent behavior. Prompt and appropriate services may reduce general stress levels and psychological trauma experienced by victims and witnesses.

It is important to note that violence in the workplace is a serious safety and health issue. Its most extreme form, homicide, is the fourth-leading cause of fatal occupational injury in the United States. The Commonwealth has in

place steps to prevent incidents of workplace violence; however, the reality is that there will always be the possibility for a violent incident to occur. If violence does occur at your workplace, do the following:

- Contact local law enforcement and follow their instructions
- Notify building security, if applicable
- Evacuate the scene as quickly as possible
- Remain calm

We all deserve a safe work environment. It is up to each employee to help make the Commonwealth a safe workplace for all. This information is provided to help you protect your work site by understanding more about how workplace violence starts. The Kentucky Employee Assistance Program (KEAP) serves as an excellent, confidential resource available to state employees and their dependents to help identify and deal with problems. If you or someone you know is experiencing thoughts of violence, please contact KEAP or a mental health professional. If an immediate danger is present, contact your local law enforcement agency.

EMERGENCY PHONE NUMBERS

Write in all the emergency numbers for your building. Tape this card on your desk by your phone or somewhere else close to your phone for handy reference. (Copies of this card also can be made.)

Police, Fire, EMS **911**

Building Security

Agency Workplace Violence Liaison Primary Secondary

KEAP 1-800-445-KEAP or 502-564-5788 (inside Frankfort)

Agency Legal Department Primary Secondary

Agency HR Representative Primary Secondary

Additional Contacts (for use after hours)

FORMS

- [Agency Contact List](#) PDF 13KB
- [Building and Grounds and HR Checklist](#) PDF 11KB
- [Data Form for Incidents](#) Word 68KB
- [Handling an Emergency Situation](#) PDF 17KB
- [Mental Health Provider Form](#) PDF 37KB